



DEPARTMENT OF THE NAVY
COMMANDER NAVY REGION SOUTHWEST
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SAN DIEGO, CA 92132-0058

IN REPLY REFER TO:

COMNAVREGSWINST 1752.3A
N93MP

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COMNAVREGSW INSTRUCTION 1752.3A

From: Commander, Navy Region Southwest

Subj: SEXUAL ASSAULT VICTIM INTERVENTION (SAVI) PROGRAM

Ref: (a) OPNAVINST 1752.2A
(b) DODD 6495.01
(c) SECNAVINST 1752.4A
(d) OPNAVINST 1752.1A
(e) DODI 6495.02
(f) OPNAVINST 3100.6H

Encl: (1) Definitions
(2) Services Eligibility for Victims of Sexual Assault
(3) Procedural Flowchart
(4) VA and Supervisor Statement of Understanding
(5) Commander's Checklist for Prevention and Response to Allegations of Sexual Assault
(6) Primary Responsibilities of Sexual Assault Response Coordinator
(7) Navy Victim Reporting Preference Statement
(8) SAVI Incident and Feedback Form
(9) SAVI Follow-up Form
(10) Restricted Reporting Incident Data Sheet

1. Purpose. To establish policies and designate responsibility for implementation of the Sexual Assault Victim Intervention (SAVI) Program within Commander, Navy Region Southwest (CNRSW) area of responsibility per references (a) through (f). This instruction establishes regional Navy guidance and is not intended to, and does not create any rights, substantive or procedural, enforceable at law or in equity, by any victim, witness, suspect, accused, or any other person, in any matter civil or criminal and places no limits on the lawful prerogatives of the Navy or its officials.

2. Cancellation. COMNAVREGSWINST 1752.3.

3. Definitions. Terms used in this instruction are defined in enclosure (1).

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4. Background. The SAVI program was developed by DOD to meet the needs of all sexual assault victims and to ensure all Navy personnel and their families work and live in a safe and supportive environment where the entire chain of command and community is committed to a "zero tolerance" policy for sexual assault. In furtherance of that policy, the SAVI program was developed to:

- a. Ensure sensitive, coordinated, and effective implementation of victim advocacy services.
- b. Prevent, eliminate and reduce the incidence of sexual assault through awareness, prevention and education.
- c. Standardize reporting of sexual assault.

5. Eligibility. Persons eligible for SAVI services must be eighteen years of age or older, active duty/reserve military and/or dependents. This includes victims of sexual assault, rape, or sodomy; victims of assault with intent to commit rape; victims of assault with intent to commit sodomy; and victims of indecent assault. Sexual assault of children (under age 18) and victims sexually assaulted by family members are provided services through the Navy Family Advocacy Program as defined in reference (a). Enclosure (2) lists persons eligible for SAVI victim advocacy services.

6. Responsibilities

- a. CNRSW shall:
 - (1) Provide regional coordination of the SAVI program.
 - (2) Develop and implement a highly responsive Victim Advocate Program (VAP) to provide immediate guidance and emotional support to eligible sexual assault victims.
 - (3) Coordinate training on sexual assault awareness and prevention.
 - (4) Ensure installation activities, agencies, and personnel are advised of, and have access to SAVI program services and supportive resources. A representation of assistance offered to a sexual assault victim is presented as a flowchart in enclosure (3).

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b. Installation Commanding Officers will:

(1) Establish a Sexual Assault Case Management Group (SACMG). The purpose of this group is to review all open unrestricted cases of sexual assault, to provide systemic overview for response to victims of sexual assault, to identify impediments to effective response, to improve reporting, facilitate victim updates, and discuss process improvements to ensure system accountability and victim access to services. The SACMG is not intended to substantiate or unsubstantiate the reported sexual assault.

(2) Ensure all pending unrestricted reports of sexual assault are reviewed thoroughly on a monthly basis.

(3) Ensure the local site manager or his/her civil service equivalent is designated as the chairperson for the SACMG. This group will consist of responders specific to the case being discussed.

(4) Ensure the SACMG includes, but is not limited to, the following members:

- (a) Designated Victim Advocate
- (b) Navy Criminal Investigative Service Agent
- (c) Security
- (d) Healthcare Provider
- (e) Mental Health Provider
- (f) Chaplain
- (g) Legal
- (h) Commander/Command Liaison

(5) Establish a written Memorandum of Understanding (MOU) between the Installation and local community and other military service responders; this amplifies requirements already included in reference (b).

c. Responsibilities of Commanders/Commanding Officers/Officers in Charge:

(1) As part of their 24 hour, 7 days per week sexual assault response capability, Commanders will ensure that there are designated Victim Advocates within their ranks who have received the required SAVI Victim Advocate training via the installation SARC. The SAVI advocate should be able to be notified and assigned to respond immediately upon a reported sexual assault.

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(2) To support the command's commitment to its sexual assault response capability, a Point of Contact (POC) and a Command Liaison (CL) will be designated in addition to the SAVI Victim Advocate. Commanders will ensure that command POCs and CLs are trained through the Installation SARC in accordance with CNRSW requirements.

(3) VA and Supervisor Statements of Understanding must be signed and completed upon designation and provided to the Installation SARC in accordance with enclosure (4).

(4) Commanding Officers shall perform duties as described in the Commander's Checklist (enclosure (5)).

d. The SARC shall perform duties as assigned in enclosure (6) and ensure victims are afforded rights described in references (a) and (c).

e. Responsibilities of Sexual Assault Victim Advocates (VA):

(1) Provide crisis intervention and make available options, resources, and ongoing, non-clinical support to victims of sexual assault. A VA's primary role is to assist the victim in navigating the processes required to obtain needed care and services. It is not the VA's role or responsibility to be the victim's therapist or to act as an investigator.

(2) VAs will review Victim Reporting Preference Statement (VRPA) with all active duty victims and provide original signed documents to Installation SARCs per enclosure (7).

(3) With the victim's consent, the VA will accompany the victim during investigative, and legal interviews and medical examinations.

(4) VA's services begin with initial report of assault and continue until final disposition of the case or until the victim indicates he/she no longer needs the support.

(5) All volunteer VAs operating within the Navy shall report to the Installation SARC regarding the performance and conduct of VA responsibilities.

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(6) Current policy requires that volunteer VAs receive a minimum of 20 hours of initial training and 10 hours annual refresher training.

(7) The Installation SARC is responsible for facilitating and tracking VA training.

(8) Ensure the names and contact information for all VAs and how to access them are well publicized throughout the command.

(9) VAs shall perform duties as assigned in reference (d). VAs will document all advocacy services on forms such as Victim Reporting Preference Statement (enclosure (7)), SAVI Incident and Feedback Form (enclosure (8)), SAVI Follow-up Form Statement (enclosure (9)), and Restricted Reporting Incident Data Form (enclosure (10)).

(10) All forms will be given to the SARC in original form with original signatures. The Victim Advocates will not keep copies. Only the SARC, Victim Advocate, and victim will view original forms.

7. Sexual Assault Case Management Group (SACMG): The multi-disciplinary SACMG shall be convened on a monthly basis to review individual cases, facilitate monthly victim updates, and to ensure system coordination, accountability and victim access to quality services. The SACMG will also:

- a. Review all unrestricted pending and newly reported sexual assault cases.
- b. Meet on a monthly basis to review all open cases.
- c. Include the members identified in subparagraph 6.b. (5) above.

8. Reporting Requirements:

a. Unrestricted Reports: As defined in enclosure (1), the Command SAVI POC is to complete the Sexual Assault Incident Report/Data Collection Form; for rape and sexual assault, complete an OPRBP-3 Navy Blue; and for indecent assault complete a SITREP.

b. Restricted Reports: As defined in enclosure (1), if the victim discloses the sexual assault to the SARC, Victim

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Advocate, or Chaplain, neither law enforcement nor military criminal investigation organization will be informed. Within 24 hours of the sexual assault report the SARC, using non-identifying information, will inform the Senior Commander that an assault has occurred. In the event a "restricted report" is reported to the command, no SITREP will be sent out.

9. Forms. All forms may be adapted locally with the exception of DOD and Navy required forms.



M. R. ALLEN
Chief of Staff

Distribution:

Electronic only, via CNRSW Directive Web site
<http://www.cnrsw.navy.mil/Admin/index.htm>

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DEFINITIONS

The following applies, per reference (b):

1. Sexual Assault. Sexual assault is a crime. The DOD definition for education and training: Sexual Assault is defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent. Sexual assault includes rape, non-consensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assaults can occur without regard to gender or spousal relationship or age of victim. "Consent" shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, threat of force, coercion or when the victim is asleep, incapacitated, or unconscious.

2. Assault. The use of unlawful force or violence either as an overt act with the intent of inflicting bodily harm; or as an unlawful demonstration of violence, through an intentional or culpably negligent act or omission, either of which creates in the mind of another a reasonable apprehension of receiving immediate bodily harm.

3. Non-Identifying Personal Information. This term applies to the victim and alleged perpetrator of a sexual assault. It is information which would disclose or have the potential to disclose the person's identity. Personal identifying information includes the person's name or other particular identifying descriptions (e.g. physical characteristics, position, rank, or organization), or other information about the person or the facts and circumstances involved that could reasonably be understood to identify the person (e.g. a female in a particular squadron or barracks when there is only one female assigned). In contrast, non-identifying personal information includes those facts and circumstances surrounding the sexual assault incident or that is about the individual that enables the identity or the individual to remain anonymous.

4. Restricted Reporting. Restricted Reporting is intended for victims of sexual assault who wish to confidentially disclose the crime to specifically identified individuals (SARC, VA, Chaplain) and receive counseling, advocacy without triggering the official investigative process. It can be used to disclose

Enclosure (1)

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that he/she has been a victim of sexual assault on a requested confidential basis. Service members who are sexually assaulted and desire restricted reporting under this policy must report the assault to a Sexual Assault Response Coordinator (SARC), SAVI Victim Advocate (VA), or chaplain. This policy on restricted reporting is in addition to the current protections afforded privileged communications with a chaplain, and does not alter or affect those protections. Under these circumstances, the victim's report and any details provided to the SARC, or a Victim Advocate (VA) will **not** be reported to law enforcement and will not initiate the official investigative process unless the victim consents.

*Please note that under California state law victims of sexual assault cannot make a restricted report via medical/healthcare personnel. Healthcare/Medical personnel **are** mandated in the state of California to report any incident of sexual assault to law enforcement.

5. Sexual Assault Prevention and Response (SAPR) Program. A DOD program for the Military Departments and the DOD Components that establish sexual assault prevention and response policies to be implemented worldwide. The program's objective is to establish an environment and military communities that effectively responds to victims of sexual assault with dignity and respect. The SAPR is to be used interchangeable with Sexual Assault Victim Intervention (SAVI) Program.

6. Sexual Assault Response Coordinator (SARC). This is a standardized position and role throughout DOD and includes military personnel, DOD civilian employees, or DOD contractors under the senior commander's supervision who:

a. Serves as the central point of contact at an installation or within a geographic area to oversee sexual assault awareness, prevention and response training.

b. Ensures appropriate care is coordinated and provided to victims of sexual assault; and tracking the services provided to a victim of sexual assault from the initial report through final disposition and resolution using a case management approach.

7. Unrestricted Reporting. A process a Service member uses to disclose, without requesting confidentiality or restricted reporting that he or she is the victim of a sexual assault. Under these circumstances, the victim's report and any details

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provided to healthcare providers, the SARC, a VA, command authorities, or other persons are reportable to law enforcement and may be used to initiate the official investigative process.

8. Victim. A victim is a person who alleges direct physical, emotional, or pecuniary harm as a result of the commission of a sexual assault. The term encompasses all persons eligible to receive treatment in military medical treatment facilities; however the restricted reporting option is only available to those sexual assault victims who are active duty service members.

9. Victim Advocate (VA). Military personnel, DOD civilian employees, DOD contractors, or volunteers who facilitate care for victims of sexual assault under the SAPR Program, and who, on behalf of the sexual assault victim, provide liaison assistance with other organizations and agencies on victim care matters, and report directly to the SARC when performing victim advocacy duties.

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SERVICES ELIGIBILITY FOR VICTIMS OF SEXUAL ASSAULT

Eligibility for services for victims of sexual assault from the Sexual Assault Victim Intervention (SAVI) Program and the Navy's Family Advocacy Program (FAP) are outlined below.

SAVI PROGRAM

1. Male and Female victims who are **18 years (or older)** and:
 - a. Active Duty Military members and their legal family members;
 - b. Members of the reserve component of the Military while on active duty and their legal family members;
 - c. Retired members of the Military and their legal family member
 - d. Civilians assaulted by:
 - (1) Active Military their legal family members;
 - (2) Military Retirees and their legal family members;
 - (3) Military Reservists on active duty and their family members;
 - (4) Civilians on property under the jurisdiction of DOD.
2. Referrals may be made to other military or civilian resources as appropriate.
3. Other victims may be eligible for services from the Navy's Family Advocacy Program (FAP) and/or Victim Witness Assistance Program (VWAP).

FAP SERVICES

1. Eighteen (18) years or older, male and female victims of marital rape (perpetrator and victim are married to each other) and:
 - a. At least one party is Active Duty or,

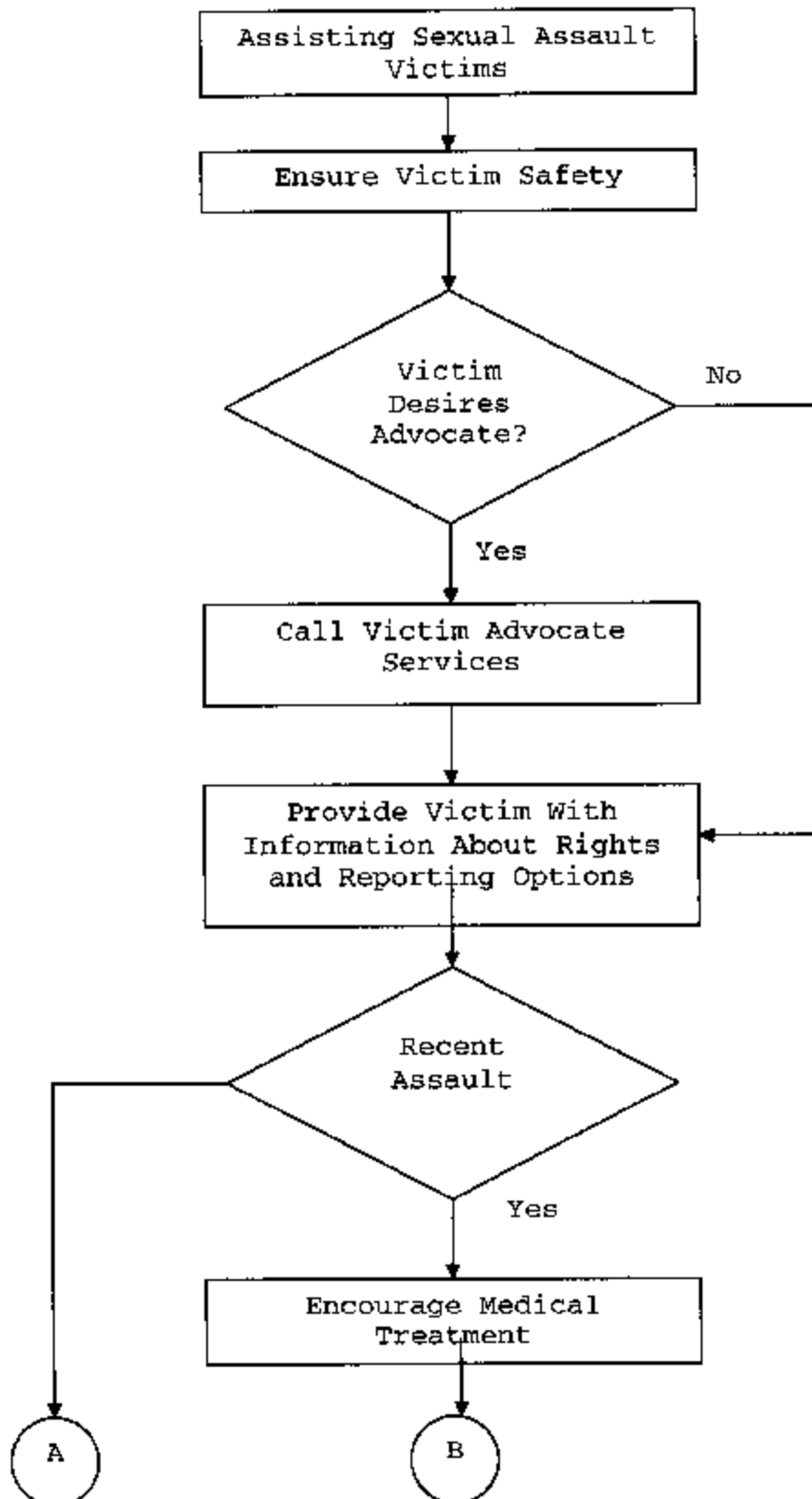
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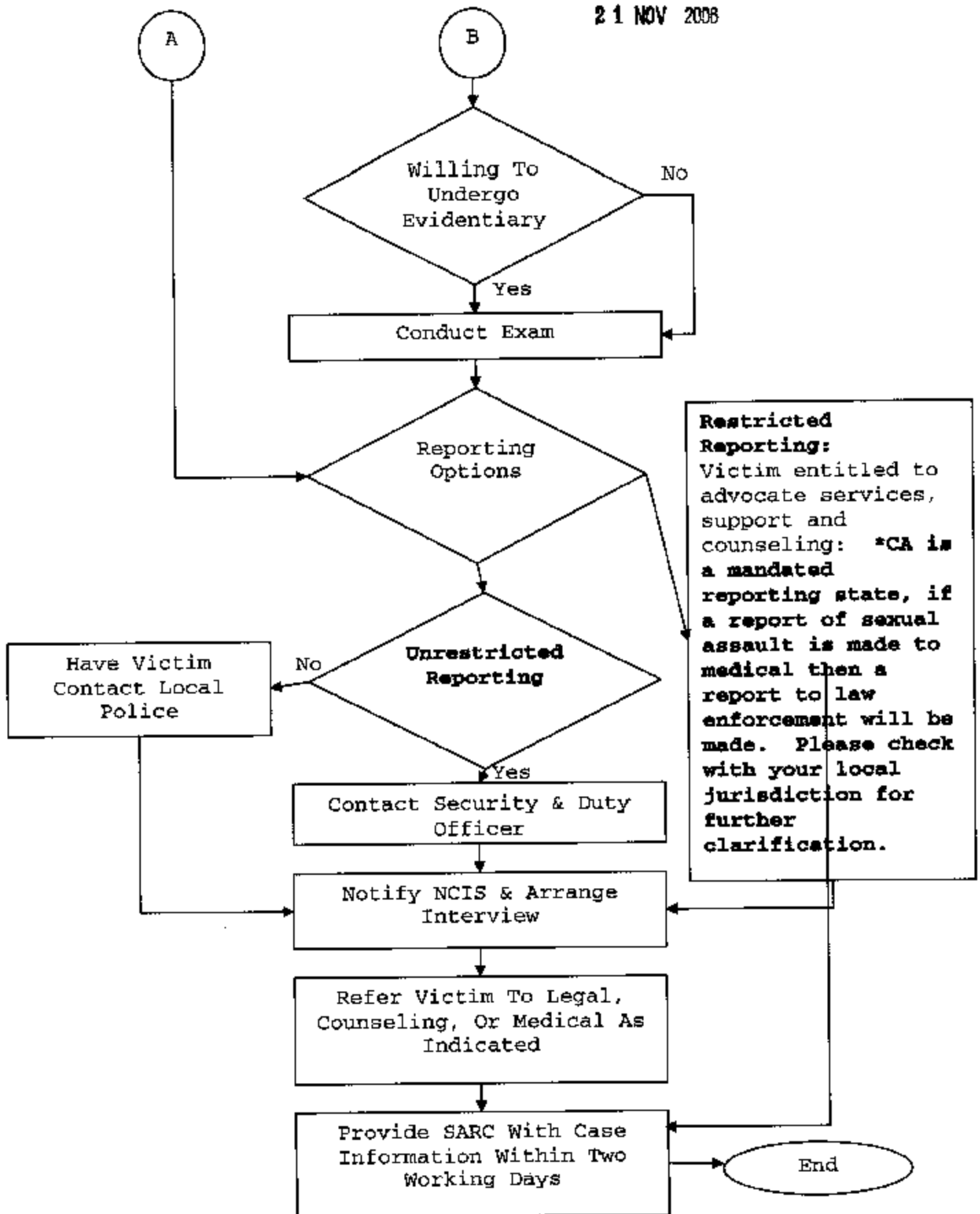
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- b. At least one-party is retired from Active Duty.
2. Less than 18 years old, Male or Female:
- a. Not Active Duty
 - b. Legal Dependents of Active Duty
 - c. Legal Dependents of Retirees
 - d. Civilians assaulted by:
 - (1) Active Duty
 - (2) Retired
 - (3) Legal Dependents of Active Duty and/or Retirees
 - (4) Civilians on a Naval Installation
3. Referrals may be made to other military or civilian resources as appropriate.

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PROCEDURAL FLOWCHART





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VICTIM ADVOCATE AND SUPERVISOR STATEMENTS OF UNDERSTANDING**PRIVACY ACT STATEMENT****AUTHORITY:** Section 301 of Title 5 U.S.C. and Chapter 55 of Title 10 U.S.C.**PRINCIPAL PURPOSE(S):** Information on this form will be used to document elements of the sexual assault response and/or reporting process and comply with the procedures set up to effectively manage the sexual assault prevention and response program.**ROUTINE USE(S):** None.**DISCLOSURE:** Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.**1. VICTIM ADVOCATE STATEMENT OF UNDERSTANDING**

I, (Full name) _____, have volunteered, been assigned, or hired to be a Sexual Assault Victim Advocate. (Initial those that apply to your category and mark "NA" to those that do not.)

a. ALL VICTIM ADVOCATES

INITIALS	
	(1) I understand that as a victim advocate I will handle confidential information of a personal nature.
	(2) In restricted reporting, I understand and agree that it is my responsibility to keep all oral, written or electronic communications amongst the victim, myself, and the Sexual Assault Response Coordinator (SARC) confidential, unless the victim authorizes disclosure in writing or another exception applies. In unrestricted reporting, I understand and agree with the above unless there is a request from someone with an official need to know.
	(3) I understand that improper disclosure of any communications, whether under restricted or unrestricted reporting, will result in removal as a victim advocate and may also result in disciplinary actions under the Uniform Code of Military Justice, or other adverse personnel or administrative actions.
	(4) I understand that any time I am performing duties in support of victim advocacy, I report directly to a Sexual Assault Response Coordinator (SARC).
	(5) I understand I may be on call and required to respond in person when on call. I acknowledge that if I am unable to be reached or do not respond while on call, I can be removed as a victim advocate.
	(6) I understand I am expected to attend or participate in monthly case management meetings for any case for which I am the assigned victim advocate.
	(7) I understand that, if a case proceeds to an Article 32, UCMJ investigative hearing or a court-martial, I may have to accompany the victim during the duration of the hearing/trial. I understand that I may be called to testify in such a hearing.
	(8) Prior to my serving as a victim advocate, I understand that I am required to complete all required Victim Advocate training.

b. ADDITIONAL AGREEMENTS FOR VOLUNTEER SERVICE AND COLLATERAL DUTY

	(1) I understand that this collateral duty may impact my normal duty responsibilities.
	(2) I understand that a Sexual Assault Response Coordinator (SARC) will discuss my collateral duty as a victim advocate with my Supervisor prior to my serving as a Victim Advocate.
	(3) I understand that voluntary service to be a victim advocate to provide assistance to victims of sexual assault does not include the provision of counseling services to victims.

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b. ADDITIONAL AGREEMENTS FOR VOLUNTEER SERVICE (Continued)

INITIALS	(4) I understand that there is no monetary compensation for this service. Volunteers accrue no rights, privileges, or benefits of Federal employment, other than: Subchapter I of Chapter 81 of Title 5, United States Code (work related injuries compensation); Section 2733 of Title 10, United States Code; Chapter 171 of Title 28, United States Code (damages or loss claims); Section 522a of Title 5, United States Code (maintenance of records on individuals); Chapter 11 of Title 18, United States Code (conflicts of interest). Volunteers are not considered Federal employees for any other purpose (ensures compliance with Section 1588d of Title 10, United States Code).
	(5) I understand that volunteer service confers neither civil service status nor any entitlement to future employment with any Federal agency, department, or organization.
	(6) I understand that volunteer service may be terminated at any time at the discretion of the Service leadership.
	(7) I understand that volunteer service may not be used as an alternative to paid employment for the volunteer or any other person.

2. VICTIM ADVOCATE (VA)**a. SIGNATURE****b. DATE (YYYYMMDD)****3. SUPERVISOR STATEMENT OF UNDERSTANDING**

	a. I understand if the VA is responding after duty hours on a case, it may impact his/her ability to report to work the following morning.
	b. I also understand that the VA may have to accompany victim to various other referral appointments, and if a case proceeds to an Article 32, UCMJ, investigative hearing or a court-martial, the VA may be absent from the work area for the duration of the hearing/trial.
	c. I understand that I will be informed of any absences from the work center as soon as possible.
	d. I understand the VA will not report any details of the case to me, nor will I ask them for any details.
	e. I understand the responsibilities of the VA and am willing to support them.
	f. If I should encounter any problems or concerns, I may contact the SARC.

4. SUPERVISOR**a. PRINTED NAME (Last, First, Middle Initial)****b. SIGNATURE****c. DATE (YYYYMMDD)****5. SEXUAL ASSAULT RESPONSE COORDINATOR (SARC)****a. SIGNATURE****b. DATE (YYYYMMDD)**

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**COMMANDER'S CHECKLIST FOR PREVENTION AND RESPONSE TO
ALLEGATIONS OF SEXUAL ASSAULT**

The Commander's Sexual Assault Response Checklist (see below) is provided to assist unit commanders in successfully navigating the myriads of competing demands placed upon them once a sexual assault is reported. The use of this checklist has the primary objective of ensuring that there is an appropriate balance between a victim's right to feel secure and the alleged offender's right to due process under the law. It also provides guidelines and standards for addressing unit interests in sexual assault cases.

The following are guidelines for commands with respect to prevention and response to alleged incidents of sexual assault within the command. This checklist incorporates elements from the DODI recently issued Department of Defense (DOD) Commander's Checklist with enclosure (7) (Commander's Guidelines for Response to Sexual Assault Incidents) in reference (a) and Navy Inspector General Sexual Assault study recommendations. Following these guidelines ensures that commanders address all areas and provide a timely and sensitive response to all incidents of sexual assault.

Commanding Officers are responsible for ensuring a command climate that condemns sexual assault; provides victims with sensitive care, resources, and support; reports incidents of sexual assault; and holds offenders accountable for their actions.

Commander's Sexual Assault Response Checklist

Before Sexual Assault Occurs:

Prevention:

1. Establish a command climate of prevention that is predicated on mutual respect and trust, that recognizes and embraces diversity, and that values the contributions of all of its members.
2. Reassure members of your personal commitment to maintaining a healthy environment that is safe and contributes to their well-being and mission accomplishment.

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3. Ensure a safe emotional and physical environment for all members of the command. Institute and publicize a means to inform the chain of command of situations that place members at risk of sexual assault.
4. Reiterate your "zero tolerance" policy on sexual assault and the potential consequences for those who violate the law.
5. Ensure command-wide compliance with annual mandatory sexual assault awareness and prevention education GMT requirements, to include use of the DOD definition of sexual assault. Emphasize the importance of the command zero tolerance message through leadership participation in sexual assault GMT.
6. Keep a "finger on the pulse" of the organization's climate and respond with appropriate action toward any negative trends that may emerge.
7. Include sexual assault questions regarding command involvement in preventing sexual assault incidents when conducting command climate assessments.
8. Provide ongoing unit education regarding responsible use of alcohol and NADSAP programs. Promote positive social programs through MWR.
9. Carefully select command DAPA and ensure that they are trained in the SAVI program, emphasizing the link between sexual assault and alcohol misuse.

Sexual Assault Response Preparation:

1. Request a GMT from the installation Sexual Assault Response Coordinator (SARC; formerly SAVI Program Coordinator) on installation sexual assault incident management and resources. This person is typically located at the Fleet and Family Support Center.
 - a. Ensure good coordination between installation and command assets when preventing or responding to sexual assault incidents.
 - b. Establish working relationship with installation SARC to ensure effective and ongoing command interface regarding sexual assault prevention and response.

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2. Designate a command Sexual Assault Victim Intervention (SAVI) Point of Contact (POC).

a. This individual is responsible for implementing/coordinating command awareness and prevention education, maintaining current information on available victim support services in the area, and ensuring collection and maintenance of sexual assault data.

b. Afloat/deploying commands: It is strongly recommended that the command SAVI POC also be a trained Victim Advocate (see #5 below). This will facilitate effective implementation of new confidentiality policy requirements.

3. Educate all members on DOD and Navy confidentiality policy.

a. Publicize broadly that members may make restricted reports of sexual assault to the installation SARC, designated Victim Advocates, or a chaplain. Educate military members that while stationed in California, that healthcare providers are mandated reporters of sexual assault.

b. Publish names and contact information for personnel to whom a restricted report may be made.

4. Appoint a Data Collection Coordinator (DCC), who liaisons with governmental agencies to obtain required sexual assault data for command reporting purposes. Victims and alleged perpetrators are NOT contacted to provide information. Provide clear direction to the DCC regarding completion of required message traffic and thorough collection of sexual assault information. The DCC may also be your Command POC.

5. Afloat/Deploying commands: Provide trained, volunteer Victim Advocates aboard to respond if a sexual assault occurs in foreign ports or while underway.

a. The command should have sufficient trained Victim Advocates to ensure 24/7 response to sexual assault whenever Navy installation assets are not available.

b. These Victim Advocates report to the installation SARC for oversight and supervision of all advocacy responsibilities and services.

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c. The installation SARC screens all volunteer Victim Advocates to ensure a good fit for this very sensitive position and ensures they receive required initial and refresher training.

6. Ensure the SAVI POC and DCC attend required training on sexual assault and their responsibilities under the SAVI Program.

7. Conduct a review of command sexual assault awareness and prevention education, reporting, and victim support processes to ensure they meet program standards and are in keeping with this checklist.

When a Sexual Assault Occurs:
Victim

Upon receipt of an allegation that a member of your command has been sexually assaulted, the following actions are required:

1. Ensure the physical safety and emotional wellbeing of the victim; determine if the alleged offender is still nearby and if the victim desires/needs protection.
2. Ensure the victim receives emergency medical treatment if necessary. Encourage medical care in all other circumstances. Assist with or provide immediate transportation for the victim to the appropriate medical facility.
3. Advise the victim of the need to preserve evidence (by not bathing, showering, washing garments, etc.) while awaiting the arrival of NCIS.
4. Notify the Naval Criminal Investigative Service (NCIS) as soon as the victim's immediate safety is assured, and any emergency medical treatment is in process.

a. Strictly limit the facts or details of the incident to only those personnel who have a legitimate need to know. Ensure that command protocols limits required command notification of the incident to the smallest necessary number (e.g., CMC, XO, CO).

b. Take action to safeguard the victim from any formal or informal investigative interviews or inquiries, except those conducted by NCIS or civilian law enforcement.

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5. Collect only the necessary information to include the victim's identity, location and time of the incident, name and/or description of the offender(s). Do not ask detailed questions or pressure the victim for information about the incident.
6. Activate the on-call Victim Advocate and request immediate assistance. The Victim Advocate will ensure that the victim understands the medical, investigative, and legal process and is advised of his/her victim support rights, even if the victim ultimately declines ongoing support from the Victim Advocate.
7. Offer to notify the Duty Chaplain, if the victim desires pastoral assistance.
8. Designate a SAVI Command Liaison (formerly SAVI Command Representative) to act as the single command point of contact for the victim. All other direct contacts with the victim within the command should be kept to a minimum. The SAVI Command Liaison shall:
 - a. Be responsible and possess the maturity and sensitivity needed to support the victim's needs.
 - b. Have direct access to the commanding officer
 - c. Promote responsive command management and keep the victim informed of command actions in his/her case.
 - d. In coordination with the responsible NCIS agent and the installation SARC, ensure the victim receives monthly updates regarding the status of his/her case.
 - e. Ensure a victim-sensitive command climate to avoid revictimization of the victim.
9. Ensure compliance with command reporting requirements, IAW Special Incident Reporting Requirements (OPNAVINST 3100.6H).
 - a. Send OPREP-3 NAVY BLUE messages for alleged rape, forcible sodomy and aggravated sexual assault incidents, OPREP-3 NAVY UNIT SITREPS for indecent assault or assault with intent to commit rape or forcible sodomy as per reference (f).
 - b. Include the regional and installation commander as a copy to addressee on all sexual assault message traffic.

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c. Forward monthly update reports until a final message is forwarded detailing final disposition.

10. After seeking consultation from legal and investigation, determine if the victim desires/needs a Military Protection Order (MPO), particularly if the victim and the accused are assigned to the same command, duty location or living quarters. A DD Form 2873 shall be used when a MPO is issued.

11. Strongly consider temporary assignment of either the victim or accused when they are assigned to the same command, duty location or living quarters.

a. Consider both the physical and emotional well being of the victim in determining the need for temporary reassignment.

b. To the extent possible, consider the desires of the victim when making reassignment determinations.

12. Guard the victim's right to confidentiality and privacy by limiting the "need to know" personnel.

a. Be sensitive to the needs of the victim's family.

b. As an adult, the victim must consent in writing to the release of information to anyone (including parents, friends, etc). Only in cases where the victim has suffered life-threatening injuries will the next of kin be notified without prior approval of the victim.

13. Throughout the investigation, ensure the SAVI Command Liaison consults with the victim regularly. Communicate regularly with the SAVI Command Liaison to accommodate the victim's wishes to the extent possible regarding his/her safety, health, and security, as long as a critical mission or a thorough investigation is not compromised.

14. Determine how to best dispose of the victim's collateral misconduct. Absent overriding considerations, commanders should consider the victim's misconduct in context and exercise their authority to defer disciplinary actions for the victim's minor misconduct until after the final disposition of the sexual assault case.

15. Avoid automatic suspension or revocation of a security and/or Personnel Reliability Program (PRP) clearance for mental, emotional, or personality disorder or sexual behavior when possible, understanding that the victim may be

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satisfactorily treated for his/her related trauma without comprising his/her PRP status. While a commander can and should consider the negative impact of temporarily suspending a victim's security clearance because of any collateral conduct, the ultimate determination as to whether one retains a security clearance is based on the service specific Central Adjudication Facility.

16. Emphasize the availability of additional avenues of victim support. The command SAVI POC, responsible Victim Advocate, or installation SARC can provide referral assistance to the victim.

17. Ensure SAVI Command Liaison participation at installation Sexual Assault Case Management Group meetings.

18. Ensure ongoing communication and coordination of actions between commands if the alleged offender is assigned to another command.

Alleged Offender

1. Before questioning any accused service member or discussing the case with the service member, commanders or other command representatives should first contact the legal office for guidance. Follow the guidance provided to:

a. Avoid discussing or questioning the sexual assault allegation with the alleged offender, since doing so may jeopardize the criminal investigation. However, if questioning does occur advise the service member suspected of committing a UCMJ offense of his/her rights under Article 31 of the UCMJ, and right to defense counsel representation, before questioning or discussing the sexual assault allegations with the accused.

b. Notify NCIS as soon as possible after receiving a report of a sexual assault incident.

c. Safeguard the alleged offender's rights and preserve the integrity of a full and complete investigation, to include limitations on any formal or informal investigative interviews or inquiries by personnel other than those assigned to NCIS.

d. Strictly limit information about the investigation to those who have a legitimate need to know.

e. Ensure procedures are in place to inform the alleged offender about available counseling support.

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- f. Emphasize that every alleged offender is presumed innocent until proven guilty in a trial by court-martial.
2. After seeking consultation from legal and investigation, determine the need for a Military Protective Order, especially if the victim and the alleged offender are assigned to the same command, duty location or living quarters.
3. Monitor the well-being of the alleged offender, particularly any indications of suicide potential, and ensure appropriate intervention occurs if indicated.
4. Ensure ongoing communication and coordination of actions between commands if the victim is assigned to another command.

Unit

1. All necessary efforts should be taken to ensure that it does not become general knowledge within the command that a sexual assault has occurred. The following actions should be considered when that information becomes known within the ranks:
- a. Encourage members to be appropriately supportive of one another within the organization, to include both the victim and the alleged offender in the incident.
- b. Advise those who may have knowledge of the events leading up to or surrounding the incident to fully cooperate with any investigation involved.
- c. Ensure proper authorities are available to explain to witnesses the potential consequences of discussing any details related to the on-going investigation.
- d. Discourage members from participating in "barracks gossip." Take action if either the victim or alleged offender reports they are being subjected to harassment, ostracism, threats, or other pressure regarding the incident from command members.
- e. Consider unit refresher training; or have an outside expert address the unit regarding preventive measures, as well as some of the emotional or psychological feelings that may manifest themselves and affect the command.

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PRIMARY RESPONSIBILITIES OF THE SARC

1. Act as the "single point of contact" in coordinating the local Sexual Assault Victim Intervention (SAVI) program.
2. Support the Command in executing the sexual assault and response program by fulfilling training requirements, tracking and case management of all sexual assault incidents, marketing the sexual assault program and supporting the Command in ensuring incidents of sexual assault are appropriately responded to and reported within the Chain-of-Command.
3. Serve as the chairperson's consultant for monthly Sexual Assault Case Management Group (SACMG) meetings, if not designated chairperson.
4. Facilitate review and management of the individual and systemic response to all incidents of sexual assault with members of the monthly case management group meeting.
5. Serve as the designated program manager of victim support services.
6. Report to a senior level of Command designated by the Services.
7. Track the services provided to the victim from the initial report of a sexual assault through disposition.
8. Oversee Victim Advocates, including ensuring advocates are appropriately trained and meet the designated guidelines for providing services that are comprehensive, timely, and consistent with the victim's stated needs.
9. Ensure that when and if a victim receives a new advocate (i.e., due to either the advocate or victim changing locations, or the victim requests a new advocate), that the victim receives a "warm hand-off", including seamless care and coordination of on-going services for the victim.
10. Track the disposition of all sexual assault cases.
11. Ensure that all incidents of sexual assault are appropriately documented and reported to the designated personnel, in accordance with reporting guidelines for restricted and unrestricted reporting options.

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12. Follow-up to track that data on sexual assault incidents are received from the responding agencies (i.e., law enforcement, medical, Victim Advocates) and reported in the system.
13. Maintain liaisons with the first response groups, including medical, legal, and investigative, among others to facilitate immediate response and accurate reporting of sexual assault incidents.
14. Coordinate with the Command, public affairs, and first response groups to distribute program information.
15. Review existing Memorandum of Understanding (MOU) with non-military agencies that respond to incidents of sexual assault (i.e., rape crisis centers, civilian law enforcement, hospitals, etc.).
16. Ensure all victim-reported sexual assaults, both restricted and unrestricted reports, are maintained in the Defense Case Record Management System (DCRMS).
17. Ensure unrestricted sexual assault data is stored and maintained in the Defense Incident Based Reporting System (DIBIRS).

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VICTIM REPORTING PREFERENCE STATEMENT

(Please read Privacy Act Statement before completing this form.)

1. REPORTING PROCESS AND OPTIONS DISCUSSED WITH THE VA OR SARC

a. I, (Full name) _____, had the opportunity to talk with a Victim Advocate (VA) _____ or a Sexual Assault Response Coordinator (SARC) before selecting a reporting option.

b. UNRESTRICTED REPORTING - REPORTING A CRIME WHICH IS INVESTIGATED.

INITIALS	I understand that law enforcement and my command will be notified that I am a victim of sexual assault and an investigation will be started. I understand I can receive medical treatment, advocacy services, and counseling, and an optional sexual assault forensic examination to collect evidence if indicated. The full range of victim protection actions may be available to me, such as being separated from the offender(s) or receiving a military protective order against the offender. Any misconduct on my part may be punished, but at the discretion of the commander may be delayed until after the sexual assault charge(s) is resolved.
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c. RESTRICTED REPORTING - CONFIDENTIALLY REPORTING A CRIME WHICH IS NOT INVESTIGATED.

	(1) I understand that I can confidentially receive medical treatment, advocacy services, and counseling, and an optional sexual assault forensic exam to collect evidence if needed, but law enforcement and my command will NOT be notified. My report will NOT trigger an investigation; therefore, no action will be taken against the offender(s) as the result of my report.
	(2) I understand that there are exceptions to "Restricted Reporting" (see back). If an exception applies, limited details of my assault may be revealed to satisfy the exception.
	(3) I understand that if I have not made an "Unrestricted Report" within 1 year of any evidence collected, it will be destroyed and no longer available for any future investigation or prosecution efforts.
	(4) I understand that all state laws, local laws or international agreements that may limit some or all of DoD's restricted reporting protections have been explained to me. In _____, medical authorities must report the sexual assault to _____.
	(5) I understand that the SARC will provide information that does not reveal my identity, nor that of my offender, to the responsible senior commander within 24 hours of my "Restricted Report" or within 48 hours if at a deployed location and extenuating circumstances apply. This information is required for the purposes of public safety and command responsibility.
	(6) I understand that by choosing "Restricted Reporting," the full range of victim protection actions may not be available, such as being separated from the offender(s) or receiving a military protective order against the offender(s).
	(7) I understand that if I talk about my sexual assault to anyone other than those under the "Restricted Reporting" option (SARC, sexual assault victim advocate, or healthcare providers), and chaplains, it may be reported to my command and law enforcement which could lead to an investigation.
	(8) I understand that I may change my mind and report this offense at a later time as an "Unrestricted Report," and law enforcement and my command will be notified. Delayed reporting may limit the ability to prosecute the offender(s). If the case goes to court, my victim advocate and others providing care may be called to testify about any information I shared with them.
	(9) I understand that if I do not choose a reporting option at this time, my commander and investigators will be notified.

PRIVACY ACT STATEMENT

AUTHORITY: Section 301 of Title 5, United States Code, and Chapter 55 of Title 10, United States Code.

PRINCIPAL PURPOSE(S): Information on this form will be used to document elements of the sexual assault response and/or reporting process and comply with the procedures set up to effectively manage the sexual assault prevention and response program.

ROUTINE USE(S): None.

DISCLOSURE: Completion of this form is voluntary; however, failure to complete this form with the information requested impedes the effective management of care and support required by the procedures of the sexual assault prevention and response program.

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2. CHOOSE A REPORTING OPTION (Initial)	
	a. Unrestricted Report. I elect Unrestricted Reporting and have decided to report that I am a victim of sexual assault to my command, law enforcement, or other military authorities for investigation of this crime.
	b. Restricted Report. I elect Restricted Reporting and have decided to confidentially report that I am a victim of sexual assault. My command will NOT be provided with information about my identity. Law enforcement or other military authorities will NOT be notified unless one of the exceptions applies. I understand the information I provide will NOT start an investigation or be used to punish an offender.
3. RESTRICTED REPORT CASE NUMBER (if applicable)	
4.b. SIGNATURE OF VICTIM	b. DATE (YYYYMMDD)
5.a. SIGNATURE OF SARC/VICTIM ADVOCATE	b. DATE (YYYYMMDD)
6. I have reconsidered my previous selection of "Restricted Reporting," and I would like to make an "Unrestricted Report" of my sexual assault to authorities for a possible investigation.	
a. SIGNATURE OF VICTIM	b. DATE (YYYYMMDD)
c. SIGNATURE OF SARC/VICTIM ADVOCATE	d. DATE (YYYYMMDD)
<p align="center">EXCEPTIONS TO "RESTRICTED REPORTING"</p> <p>In cases in which members elect restricted reporting, disclosure of covered communications is authorized to the following persons or organizations when disclosure would be for the following reasons:</p> <ol style="list-style-type: none"> 1. Command officials or law enforcement when authorized by the victim in writing. 2. Command officials or law enforcement to prevent or lessen a serious and imminent threat to the health or safety of the victim or another person. 3. Disability Retirement Boards and officials when required for fitness for duty for disability retirement determinations. Disclosure is limited to only that information necessary to process the disability retirement determination. 4. SARC, victim advocates or healthcare provider when required for the direct supervision of victim services. 5. Military or civilian courts when ordered, or if disclosure is required by Federal or state statute. <p>SARCs, victim advocates and healthcare providers will first consult with the servicing legal office to determine whether the criteria of any of the above exceptions apply, and whether they have a duty to comply by disclosing the information.</p>	

SAVI INCIDENT & FEEDBACK FORM

Date of Assistance: _____

Advocate's Name: _____ Command: _____

VICTIM INFORMATION

Name: _____ Command: _____
Home Phone: _____ Home Port: _____
Work Phone: _____ Gender: Female Male Age: _____
Status: ☐ Active Duty ☐ Family Member ☐ Reservist ☐ Civilian
Other: _____

Date of Assault: _____ Assault Location: _____

Client entered system through: ☐ Security ☐ NCIS ☐ Medical ☐ Command ☐ FFSC
Other: _____

SAVI Advocate notified by: ☐ NMC ☐ NCIS ☐ Command
Other: _____

List POC name and work number for each representative involved.

Base Security: POC: _____ Number: _____
Law Enforcement: POC: _____ Number: _____
Medical: POC: _____ Number: _____
Other: _____ Number: _____

Advocates: Remember to fax this form within one business day after providing assistance.

Office: 619/553-4744
24 Hour Crisis Hotline: 619/692-5909
SAVI Fax: 619/553-8268

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SAVI Follow-up Form

Date of Contact: _____

Advocate Name: _____

Command: _____

Victim Information

Name: _____ Command: _____

Phone Number: _____ Home Port: _____

Time call began: _____ Time call ended: _____

Contacts: (POC, Command Representative, NCIS, TSO, Counselor)

Name: _____ Work Number: _____

Name: _____ Work Number: _____

Name: _____ Work Number: _____

Status of Case

- ☐ Pending Investigation Explain: _____
- ☐ Pending Legal Explain: _____
- ☐ Other Explain: _____
- ☐ Case Closed Explain: _____

Referrals Made

- ☐ Medical ☐ VWAP ☐ Counseling Choices ☐ Other _____

Advocacy Status & Follow-up Plan

- ☐ Advocate Involved
When will you contact again: ☐ 48 Hr ☐ 1 Week ☐ Other _____
- ☐ Advocate no longer requested because:
☐ Underway / Deployed ☐ Case Dropped ☐ Referrals made, no longer needed
☐ Other _____

Advocates: Remember to fax this form within one business day after providing assistance.

Office: 619/553-4744
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RESTRICTED REPORTING INCIDENT DATA SHEET

SAVI Victim Advocates will complete the following basic information regarding restricted reports of sexual assault and forward the information to the installation SARC with the Victim Reporting Preference Statement.

1. Date of Incident: _____
2. Date of Report: _____
3. Location of Incident: (on base, off base, aboard ship - at sea; aboard ship - in port) _____
4. Victim's Branch of Service: (USA, USN, USMC, USAF)

5. Victim's Command: _____
6. Was the alleged offender Active Duty? (Yes, No, Unknown)

7. Alleged Offender's Branch of Service: (USA, USN, USMC, USAF) _____
8. Alleged Offender's Command (if active duty):

9. Was the incident Navy/Navy sexual assault? (Yes, No, Unknown) _____
10. Has the victim accepted ongoing victim advocacy services? (Yes, No) _____
11. Other referrals made (check all that apply):
Medical:
Military _____ Civilian _____

Counseling:
Military _____ Civilian _____

Other (specify): _____